

KANE COUNTY DEVELOPMENT DEPARTMENT
Zoning Division, Kane County Government Center
719 S. Batavia Avenue
Geneva, Illinois 60134
(630) 444-1236

INSTRUCTIONS AND APPLICATION FOR ZONING MAP AMENDMENT
AND/OR SPECIAL USE

A request for the rezoning of property or for a special use in Kane County must be filed with all of the attached forms filled out completely.

The application must be signed by the owner of record of the property. In the case of property under purchase contract, the owner of record must sign and the contract purchaser should also sign the application as such purchaser is usually the person who will eventually establish the proposed zoning. Owner and contract purchaser must include their address and phone number on the application.

A **Land Use Opinion Report** from the Kane-DuPage Soil & Water Conservation District Office must accompany the application for rezoning or special use. Information on obtaining their report is available on their website which is noted below. Their report will be forwarded directly to our office.

An **Endangered Species Consultation Agency Action Report** from the Illinois Department of Natural Resources must accompany any rezoning request involving land zoned F-District Farming. Information on obtaining their report is available on their website which is noted below. Their report will be forwarded directly to our office.

Contact with local and/or state highway departments may be necessary. Authority for the location of entrances and exits from property to be rezoned must be obtained from the highway department having jurisdiction. If a township, county or state road is adjacent to the property involved in the rezoning, it may be necessary to dedicate right-of-way. To determine this, contact the Kane County Department of Transportation.

In submitting an application for rezoning, the required fees are as follows: ***Residential Use:*** \$800.00 for areas of less than two (2) acres; \$900.00 for two (2) acres but less than five (5) acres; \$1,125.00 for five (5) acres but less than ten (10) acres; \$1200.00 for ten (10) acres or more, plus \$50.00 per acre or portion thereof over 10 acres. ***Non-Residential Use:*** \$1,500.00 for areas of less than two (2) acres; \$1,800.00 for two (2) acres but less than five (5) acres; \$2,250.00 for five (5) acres but less than ten (10) acres; \$2,250.00 for ten (10) acres or more, plus \$75.00 per acre, or portion thereof over ten acres. ALSO, each request for a variation, as part of a rezoning or special use petition, shall be assessed a fee of one hundred dollars (\$100.00). Said fee must accompany application for rezoning or special use.

When land and/or the use of land (for which rezoning, special use, or variance is required by Appendix B), is maintained, used or commenced prior to obtaining said rezoning, special use, or variance, by one who knows or should have known the requirements for said rezoning, special use, or variance the fees above specified shall be **increased by one hundred (100) percent**. The payment of such additional fee

shall not relieve any persons from fully complying with the requirements of Appendix B, in the execution of the rezoning, special use, or variance, nor from any other penalties prescribed therein.

Mark VanKerkhoff, Director
Development and Community Services Dept.

Dated: April 12, 2019

Please make note of the addresses below:

Kane County Zoning Board of Appeals
Attn: Zoning Enforcement Officer
719 Batavia Avenue
Geneva, IL 60134
(630) 444-1236

Kane Dupage Soil & Water
Conservation District Office
2315 Dean Street
St. Charles, IL 60174
(630) 584-7961

www.kanedupageswd.org/luo.pdf

Endangered and Threatened Species Program Manager
EcoCAT Consultation Program
Office of Realty & Capital Planning
217-785-5500

<http://dnr.illinois.gov/ecopublic/>

Kane County Department of Transportation
41W011 Burlington Road
St. Charles, IL 60175
(630) 584-1170

KANE COUNTY DEVELOPMENT DEPARTMENT
Zoning Division, Kane County Government Center
719 S. Batavia Avenue
Geneva, Illinois 60134
Office (630) 444-1236 Fax: (630) 232-3411

<i>Received Date</i>

**APPLICATION FOR ZONING MAP AMENDMENT
AND/OR SPECIAL USE**

Instructions:

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

When the application is complete, we will begin the review process.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number (s):
	Street Address (or common location if no address is assigned):

2. Applicant Information:	Name	Phone
	Address	Fax
		Email

3. Owner of record information:	Name	Phone
	Address	Fax
		Email

Zoning and Use Information:

2040 Plan Land Use Designation of the property: _____

Current zoning of the property: _____

Current use of the property: _____

Proposed zoning of the property: _____

Proposed use of the property: _____

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion (Available in pdf form at www.kanedupageswed.org/luo.pdf), as required by state law, mailed to: The Kane Dupage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174.
- Endangered Species Consultation Agency Action Report (available in pdf form at <http://dnr.illinois.gov/ecopublic/>) to be filed with the Illinois Department of Natural Resources. (* This report may best be accessed with Internet Explorer on some computers, per the State)
- List of record owners of all property within 250 feet of the subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department)

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

Record Owner _____ Date _____

Applicant or Authorized Agent _____ Date _____

Findings of Fact Sheet – Map Amendment and/or Special Use

- *The Kane County Zoning Board is required to make findings of fact when considering a rezoning. (map amendment)*
- *You should “make your case” by explaining specifically how your proposed rezoning relates to each of the following factors.*

Name of Development/Applicant

Date

1. How does your proposed use relate to the existing uses of property within the general area of the property in question?

2. What are the zoning classifications of properties in the general area of the property in question?

3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?

4. What is the trend of development, if any, in the general area of the property in question?

5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?

Findings of Fact Sheet – Special Use

Special Use Request

Date

- *The Kane County Zoning Board is required to make findings of fact when considering a special use.*
 - *Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board **will not** recommend a special use **unless** the following items are addressed:*
6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:

10. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestion? Please explain:

11. Will the special use conform to the regulations of the district in which it is located? Please explain:

**CERTIFICATION OF NOTIFICATION
OF PROPERTY OWNERS WITHIN 250 FEET OF SUBJECT PROPERTY**

Date: _____

To: KANE COUNTY ZONING BOARD OF APPEALS
From: _____

(Ph #) _____

The undersigned, being sworn upon this oath, deposes and says that the list below includes the names and addresses of all owners of property within 250 feet of the property referred to in petition for

(circle one) Variance Rezoning Special Use

for the purpose of _____

and, further, that all persons owning property within 250 feet of the parcel referred to in petition have been notified of the intent of the petitioner(s).

Petitioner's property is located in Section _____, Township _____, County of Kane. (Legal Description Attached)

List names of property owners below. (Property Owners do not have to sign this form)

NAME

ADDRESS (street, city, state and zip code)

By: _____

(Property Owner or Agent)

Subscribed and sworn to before me

this ____ day of _____, 20____

Notary

TIME ESTIMATE
REZONINGS AND SPECIAL USES
(After all required documents have been submitted)

<u>ACTION</u>	<u>AVERAGE NUMBER OF DAYS</u>
KDS & WCD AND IDOC APPLICATIONS (Kane-DuPage Soil & Water Conservation District; Illinois Department of Natural Resources)	30
TECHNICAL STAFF REVIEW (Meeting held each Monday morning- Petitions scheduled as time permits.)	20
ZONING BOARD PUBLIC HEARING (Hearing held as needed--published 15 days prior to hearing-Statutory requirement)	30
DEVELOPMENT COMMITTEE Agenda set for County Board Meeting (Meeting held third Tuesday of each month)	20
COUNTY BOARD MEETING Final Decision (Meeting held second Tuesday of each month)	20
	<hr/> TOTAL 120 (4 MONTHS)